



# California Regional Water Quality Control Board Central Valley Region



Linda S. Adams

Secretary for  
Environmental Protection

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Arnold

Schwarzenegger  
Governor

27 November 2006

Albert DiVittorio  
diVittorio Winery  
3961 Seven Ridges Road  
Camino, CA 95709

### **NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106, DIVITTORIO WINERY, EL DORADO COUNTY**

Regional Water Board staff has reviewed your 1 June 2006 Report of Waste Discharge (RWD) for coverage under Regional Board Resolution No. R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region* and the additional information submitted on 19 July, 16 October, and 26 October 2006. The RWD included a Notice of Non-Applicability for compliance with the storm water General Permit and an \$872 filing fee. Our review finds the RWD to be complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed) is a conditional waiver of waste discharge requirements for small food processors, including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the estimated amount of grapes crushed and wastewater produced.

#### Discharge Description

Albert DiVittorio (Discharger) owns and operates the DiVittorio Winery on approximately 13 acres of land. The winery is located in El Dorado County at 3961 Seven Ridges Road in Camino (APN 043-480-34). The Discharger produces wine, grape brandy, and port wines at the facility. Production of wine at the facility is limited to 7,000 gallons by a special use permit issued by El Dorado County. There are no saline generators, water softeners, ion exchange units, or boilers at the facility.

In 2005 the Discharger crushed approximately 36 tons of grapes. The Discharger estimates that he will increase future production such that an estimated 45-50 tons of grapes will be crushed to produce 7,000 gallons of wine. The Discharger estimates approximately 10,000 gallons of wastewater will be generated from the wine making process. The Discharger controls wastewater generation by using a pressure washer to clean equipment and wash out storage bins. Crush operations take place on an uncovered 380 square foot concrete pad. The concrete pad slopes to a floor drain with a basket screen. Additionally the crush pad has a concrete swale around the edges to contain and redirect any water to the drain. The drain is connected to a 30-gallon distribution box with a sump pump connected to an automatic float switch. From the distribution box the water is distributed by sprinkler system to a 2-acre parcel vegetated with blue spruce and fruit trees. Using the Discharger's estimated generation of

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10,000 gallons per year of winery wastewater at conservative concentrations (p. 4, Resolution R5-2003-0106 Staff Report) annual loading rates to the two acre land application area will be approximately: total dissolved solids (TDS) of 250 pounds per acre per year (lbs/ac/yr), Nitrogen of 2.1 lbs/ac/yr, and Biochemical Oxygen Demand (BOD) of 500 lbs/ac/yr.

Approximately 2,500 gallons of the wine produced in 2005 was used for the on-site production of grape brandy and port wines. The Discharger has two 150 gallon propane-powered stills. Wine from the wine making process is added to the stills where it undergoes distillation. Approximate twenty percent or 30 gallons of the wine from each batch becomes distillate. The remaining eighty percent or 120 gallons of grape juice (wine without the alcohol/sugar) is mixed with approximately 10 to 20 gallons of still cleaning water. The Discharger typically operates the stills 6 to 10 times throughout the year producing approximately 2,400 gallons of wastewater. The mixture of grape juice and wash water is temporally collected in a 2,500 gallon above ground tank where the level is visually monitored.

In past years the Discharger has disposed of the still wastewater by having it hauled to the Union Mine Landfill and Wastewater Treatment Plant. However, due to capacity issues, the water treatment plant will no longer take the wastewater. The Discharger has had the wastewater analyzed and the results indicate that the wastewater is of the same strength and character as typical winery wastewater (p. 4, Resolution R5-2003-0106 Staff Report). Therefore, the Discharger proposes to dispose of the still wastewater on-site by creating an additional four-acre land application area. The Discharger will periodically pump the still wastewater from the 2,500-gallon tank into a 300-gallon mobile tank for distribution to four-acres of forested land. Based on the Discharger's 2005 still wastewater characterization data and current production, loading rates for the four acre land application area from the 2,400 gallons of wastewater produced annually would be: total dissolved solids (TDS) of 4.5 lbs/ac/yr, Nitrogen of 0.38 lbs/ac/yr, and Biochemical Oxygen Demand (BOD) of 17.7 lbs/ac/yr.

The Discharger estimates that approximately six cubic yards of pomace (seeds, skins and grape solids) will be produced annually. The pomace is stored in bins prior to being placed in a compost pile in the center of the property. The contents of the compost pile are periodically distributed throughout the property. Stems are temporally placed into bins prior to distribution throughout the property.

#### Conditional Waiver

Based on the information submitted in the RWD and subsequent information provided by the Discharger, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater and process solids produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual monitoring report that contains the information described in Items No. 1, 2 and 5 of the monitoring and reporting program must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. If the method of

winery wastewater and solids disposal change from those described in the RWD or, if the wastewater generated from the winery exceeds 10,000 gallons per year or wastewater generated from the stills exceeds 2,400 gallons per year you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with a filing fee to renew the waiver, or cease the discharge.

If you have any questions regarding this letter, please do not hesitate to call Brendan Kenny at (916) 464-4635.

- Original Signed by Jack E. Del Conte for -

PAMELA C. CREEDON  
Executive Officer

Enc: General Order No. R5-2003-0106

cc w/o enc: Jeff Rusert, El Dorado County Environmental Health Department, Placerville  
Cathy Keeling, El Dorado County